BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF HAWAII

In the Matter of the Application of)

ALEXANDER C. NAUMU, dba

ANYTIME ISLAND EXPRESS

)

For Extension of Motor Carrier

)

Certificate.

DOCKET NO. 2006-0317

DECISION AND ORDER NO. 22916

Chief Clerk of the Commission

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IV. OF CONSUMER ADVOCACY
CONSUMER AFFAIRS
STATE OF HAWAII

ATTEST: A True Copy
KAREN HIGASHI
Chief Clerk, Public Utilities
Commission, State of Hawaii.

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF HAWAII

In the Matter of the Application of)

ALEXANDER C. NAUMU, dba ANYTIME ISLAND EXPRESS

For Extension of Motor Carrier Certificate.

Docket No. 2006-0317
Decision and Order No. 22916

DECISION AND ORDER

By this Decision and Order, the commission authorizes ALEXANDER C. NAUMU, dba ANYTIME ISLAND EXPRESS ("Applicant"), to extend its authority under certificate of public convenience and necessity number 3564-C ("Certificate No. 3564-C") by removing the 15 passenger seat limitation in the 8-to-25 passenger classification on the island of Kauai, subject to certain conditions, as described herein.

I.

Application to Extend Common Carrier Authority

Applicant is a common carrier of passengers by motor vehicle over irregular routes on the island of Kauai in the 8-to-25 passenger classification, limited to utilizing motor vehicles with a maximum manufacturer's seating capacity of 15 passengers. On July 27, 2006, Applicant filed an application seeking commission approval to extend his authority under Certificate No. 3564-C by removing the 15 passenger seat limitation in the 8-to-25 passenger classification.

Applicant served copies of the application on the Hawaii Transportation Association, which consists of carriers that may be affected by Applicant's proposed service, and on the Division of Consumer Advocacy, Department of Commerce and Consumer Affairs ("Consumer Advocate"). The Consumer Advocate did not participate in this proceeding, and no persons moved to intervene in this docket.

II.

Findings and Conclusions

Based upon our review of the record, we find that Applicant is fit, willing, and able to properly perform the proposed service, and to conform to Hawaii Revised Statutes chapter 271 and the requirements and rules of the commission. We also find that the proposed service is required by the present and future public convenience and necessity. Accordingly, we conclude that Applicant's request for an extension of his authority should be granted.

III.

Orders

THE COMMISSION ORDERS:

- 1. Applicant is authorized to operate as a common carrier of passengers by motor vehicle over irregular routes on the island of Kauai in the 8-to-25 passenger classification.
- 2. Applicant shall comply with all of the commission's requirements for common carriers by motor vehicle

including, but not limited to, filing a vehicle inventory list and Certificates of Registration.

- 3. Applicant shall comply with the foregoing requirements within one hundred and twenty (120) days after service of this Decision and Order. Failure to comply within the time specified constitutes cause for this commission to vacate this Decision and Order.
- 4. Applicant shall not commence operations utilizing motor vehicles with 16 to 25 passenger seating capacity until it has received written confirmation from the commission that all requirements have been met.

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PUBLIC UTILITIES COMMISSION OF THE STATE OF HAWAII

Carlina P. Calibara Chairman

John E. Cole, Commissioner

APPROVED AS TO FORM:

Stacey Kawasaki Djou Commission Counsel

2006-0317.eh

CERTIFICATE OF SERVICE

I hereby certify that I have this date served a copy of the foregoing <u>Decision and Order No. 22916</u> upon the following parties, by causing a copy hereof to be mailed, postage prepaid, and properly addressed to each such party.

DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS DIVISION OF CONSUMER ADVOCACY
P. O. Box 541
Honolulu, HI 96809

ALEXANDER C. NAUMU dba ANYTIME ISLAND EXPRESS P. O. Box 371 Eleele, HI 96705

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DATED: **OCT - 3** 2006